

REMARKS

1. The Pending Claims

New claims 11-16 are pending in this application. Claims 1-10 have been canceled. Claims 11-13 correspond to original claim 3, which is within the elected claims of Group I. Claims 14 and 15 correspond to original claims 8 and 9. Support for claim 16 is found on page 25 of the specification. New claims 14-16 correspond to the non-elected claims within Groups of IV, V, and/or VI in the restriction requirement.

2. The Restriction Requirement

The Examiner has required restriction under 35 U.S.C. §§ 121 and 372 to one of the following groups of claims:

Group I, claim(s) 1-6, drawn to a pharmaceutical composition with at least one compound of the formula (Ia), (Ib), (A1), (81), (A2), (82), (O), (O)

Group II, claim(s) 7, 8, drawn to a method of inhibiting the binding of P-selectin.

Group III, claim(s) 8-10, drawn to a compound of formula (Ia), (Ib).

Group IV, Claim(s) 8, 9, drawn to a method of preparing a medicine for treatment.

Group V, claim(s) 9, 10, drawn to a method of preparing a medicine for diagnosis.

Group VI, claim(s) 9, 10, drawn to a method of preparing a medicine for therapeutics.

Group VII, Claim 10, drawn to a method of preparing a vehicle for drug targeting of diagnosis or therapeutics.

The Examiners reasons in support of this restriction requirement are given on pages 2-4 of the Office Action.

Applicants elect, without traverse, the subject matter of claims of Group I for examination in this application. In view of this election, Applicants have canceled claims 1-10 and presented new claims 11-13, which correspond to elected claim 3, for examination. Claims 11-13 present pharmaceutical compositions comprising a trihydroxy compound of formula (C) or (D).

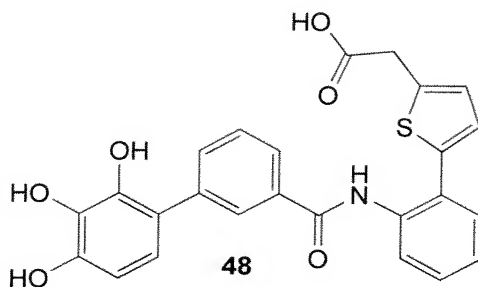
3. The Election of Species Requirement

The Examiner has also required an election of species. According to the Examiner, for any of groups I-VII elected, applicant is required to elect a single disclosed compound species of formulas (Ia), (Ib), (A1), (B1), (A2), (B2), (C) and (D) or disclosed elsewhere in the specification. See Off. Act., pp. 4-6.

As discussed above, the elected pending claims 11-13 are directed to pharmaceutical compositions comprising a trihydroxy compound of formula (C) or (D). The genus of compounds presented for examination is more limited than that within original claim 1, the independent claim within Group I. Claims 11-13 do not present a serious burden for examination. See MPEP § 803.02. For that

reason, Applicants respectfully traverse and request reconsideration of the election of species requirement in view of the pending claims 11-13.

Should the Examiner maintain the election of species requirement, Applicants provisionally elect compound (48), (5-{2-[(2',3',4'-Trihydroxy-biphenyl-3-carbonyl)-amino]-phenyl}-thiophen-2-yl)-acetic acid, on page 38 of the specification.



Compound (48) is a compound of formula (D) in claim 11. Pending claims 11 and 12 and withdrawn claims 14-16 read on this provisionally elected species.

4. Conclusion

Applicants respectfully request examination of this application in view of the amendments and elections presented in this response. If there is any fee due in connection with the filing of this Response that is not otherwise accounted for, please charge the fee to our Deposit Account No. 50-4126.

Respectfully submitted,

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